

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CODY A. CAPE,

Defendant

8:21CR11

ORDER

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [67]. Counsel requests additional time to finalize plea negotiations. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [67] is granted as follows:

1. The jury trial, now set for January 4, 2022, is continued to **February 22, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 22, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

DATED: December 16, 2021

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge